

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division**

STACEY DeGRAW, AS MOTHER AND
NEXT FRIEND OF ELIZABETH
STACEY CZAPLICKI, A MINOR

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Plaintiff

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Civil No. S-02-CV-2862
(Magistrate Judge Bredar)

v.

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LEONARD E. MOODISPAW, TRUSTEE
OF THE EDWARD JOSEPH CZAPLICKI
IRREVOCABLE INSURANCE TRUST

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Defendant

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DECLARATORY JUDGMENT

**GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
AND DENYING DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT**

Upon consideration of the Motion for Summary Judgment, Memorandum of Law and Exhibits in support thereof filed by Plaintiff, STACEY DEGRAW, as mother, guardian and next friend of ELIZABETH STACEY CZAPLICKI, a minor, and consideration of the Cross-Motion for Summary Judgment, Memorandum of Law and Exhibits in support thereof, filed by Defendant, Leonard E. Moodispaw, Trustee of the Edward Joseph Czaplicki Irrevocable Trust, and the responses thereto, the Court finds that there are no genuine dispute as to any material facts, and as a matter of law the beneficiary of the group life insurance policy issued by Metropolitan Life Insurance Company, pursuant to the provisions Federal Employees Group Life Insurance Act ("FEGLIA") 5 U.S.C. §8701,

et seq., on the life of Edward Joseph Czaplicki, a retired federal employee ("Insured"), who died on May 9, 2002, is Elizabeth Stacey Czaplicki, the minor daughter of the Insured, and it is therefore,

ORDERED, that the Defendant's Motion for Summary Judgment is DENIED; and it is further

ORDERED, that the Plaintiff's Motion for Summary Judgment is GRANTED; and it is further

ORDERED, that the Clerk of the Court shall pay and distribute the remaining funds held in the court in this matter, together with all accrued interest thereon, unto ELIZABETH STACEY CZAPLICKI, a minor, by delivering the same to the Guardian of her Property that may be appointed by the Circuit Court for Baltimore County, upon submission to the Clerk of a certified copy of the order appointing such Guardian.

Dated: _____

James K. Bredar
United States Magistrate Judge